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**RESPONSE UNDER 37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
GROUP 3654  
PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q76015

Kazuo HIRAGUCHI

Appln. No.: 10/601,768

Group Art Unit: 3654

Confirmation No.: 7324

Examiner: John M. JILLIONS

Filed: June 24, 2003

For: RECORDING TAPE CARTRIDGE

**RESPONSE UNDER 37 C.F.R. § 1.116**

**MAIL STOP AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated April 18, 2005, please consider the remarks as submitted herewith on the accompanying pages.

**REMARKS**

Although no prior art rejections have been made, the Examiner has provisionally rejected claims 1-9, 11, 15 and 16 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Fuji Photo Film Co., Ltd.'s co-pending Application Nos. 10/465,610, 10/465,627 and 10/667,365.

To overcome the provisional obviousness-type double patenting rejection, and as the path of least resistance, Applicant submits herewith a suitable Terminal Disclaimer. The filing of a